

This document was signed electronically on May 3, 2021, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: May 3, 2021



A handwritten signature in blue ink, reading "Alan M. Koschik".

ALAN M. KOSCHIK
U.S. Bankruptcy Judge

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

In Re:

MICHAEL SHAWN MOBLEY and KARI
MOBLEY,

DEBTOR(S)

)
)
) CHAPTER 13

) CASE NO: **16-51550**

)
) ALAN M. KOSCHIK

) BANKRUPTCY JUDGE

)
) **ORDER MODIFYING THE AUTOMATIC**
) **STAY ONLY FOR THE LIMITED**
) **PURPOSE OF COMMENCING A**
) **DOMESTIC RELATIONS CASE**
)

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1. The above Chapter 13 case was filed by the Debtors. The Debtors have previously filed a motion to modify the automatic stay for the limited purpose of commencing a Domestic Relations Case. The Debtor(s)'s motion is incorporated herein as if fully rewritten.
 2. The debtors desire to end their marriage through a Divorce.
 3. Debtor Kari Mobley has retained Attorney James E. Brightbill for the limited purpose of representing her in a Divorce in the Domestic Relations Court of Common Pleas in Summit County, Ohio.
 4. Debtor Michael Shawn Mobley, Sr., has not retained an attorney for purposes of the divorce action.

5. Both debtors desire to modify the automatic stay only for the limited purpose of affording them the opportunity to jointly proceed with a Divorce of Marriage in the Domestic Relations Court of Common Pleas in Summit County, Ohio.
6. The Chapter 13 Trustee in Akron, Keith Rucinski, takes no position either in favor or opposition to the Divorce of Marriage. The Trustee's signature on this order only indicates that the Trustee does not oppose the modification of the automatic stay only for the limited purpose of allowing the debtors to file a Divorce of Marriage.
7. The Debtors understand that they filed Chapter 13 jointly and that the requirement to make monthly plan payments is joint and several.
8. Should the Domestic Relations Court order only one of the Debtors to make the Chapter 13 payment, that will not relieve the other party from the obligation to make the monthly Chapter 13 payments. The Domestic Court has jurisdiction on how each party is to provide restitution to each other, but cannot relieve parties of their responsibility to make plan payments in a Chapter 13 bankruptcy.
9. The Debtors may not dispose of assets of the bankruptcy estate without permission of the US Bankruptcy Court.
10. Relief from the bankruptcy automatic stay is not required for the Domestic Relations Court to render decisions regarding paternity, alimony or support.
11. The Chapter 13 Trustee provides educational information on the interaction of Bankruptcy law with Family Law on his web site at www.chapter13info.com.
12. The Debtors have a continuing duty to report all changes in address to the US Bankruptcy Court and Chapter 13 Trustee.

WHEREFORE, the Court hereby modifies the automatic stay pursuant to 11 USC § 362 only for the limited purpose of allowing the debtors to proceed with a Divorce of Marriage in the Domestic Relations Court of Common Pleas in Summit County, Ohio.

IT IS SO ORDERED.

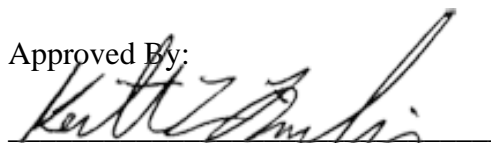
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Submitted By:

/s/ Rebecca J. Sremack

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Approved By:



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CHAPTER 13

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